



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ12-00005
Application Type: Rezoning
CPC Hearing Date: April 5, 2012
Staff Planner: Michael McElroy, 915-541-4238, mcelroyms@elpasotexas.gov
Location: North of Zaragoza Road and East of Joe Battle Boulevard
Legal Description: Parcel 1. Block 34 excluding Lots 1 and 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, City of El Paso, El Paso County, Texas
Parcel 2. Lot 1, Block 36, Montwood Heights Unit 8, City of El Paso, El Paso County, Texas
Acreage: 16.28 acres
Rep District: 5
Zoning: Parcel 1. R-5/sc (Residential/Special Contract)
Parcel 2. C-3/sc (Commercial/Special Contract)
Existing Use: Parcel 1. Vacant and Residential
Parcel 2. Vacant
Request: From R-5/sc and C-3/sc to RMU (Residential Mixed Use)
Proposed Use: Residential
Property Owner: The Housing Authority of El Paso
Representative: Georges Halloul

SURROUNDING ZONING AND LAND USE

North: P-R2/sc (Planned Residential II/Special Contract) & R-3A/sc (Residential/Special Contract) / Residential & Vacant
South: C-3/sc (Commercial/Special Contract) / Retail & Vacant
East: P-R2/sc (Planned Residential 2/Special Contract) & C-3 (Commercial) / Residential & Vacant
West: C-3/sc (Commercial/Special Contract) & R-3A/sc/sp (Residential/Special Contract/Special Permit) / Retail & Residential

Plan El Paso Designation: G-4 – Suburban (East Planning Area)

Plan for El Paso Designation: East (Mixed Use / Residential / Commercial)

Nearest Park: Sal Berroteran Park (1,941 ft.)

Nearest School: Helen Ball Elementary (2,424 ft.)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association

Las Tierras Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the April 5, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on March 7, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The request is to change the zoning from R-5/sc (Residential/special contract) and C-3/sc (Commercial/special contract) to RMU (Residential Mixed Use) to allow for a mixed residential development. The MZP proposes a development consisting of 31 buildings of various residential types comprising 199 total dwelling units. A summary of the Master Zoning Plan is attached (attachment 4, pg. 3-8). Access is to be from Joe Battle and Zaragoza. The proposed development incorporates many smart growth principles.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning to RMU (Residential Mixed Use).

Plan for El Paso-Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the RMU (Residential Mixed use) district is to accommodate, encourage and promote innovatively designed developments involving neighborhood-serving residential and commercial land uses, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for developments that are intended by their size and nature of operation to provide service to a neighborhood. It is intended that the district regulations permit uses that are compatible with the residential areas that the uses serve, and allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

COMMENTS:

Department of Transportation

Transportation does not object to the proposed rezoning request, but makes the following recommendation:

1. The parking spaces located at a 90 degree angle adjacent to the main entrances to the site are angled in the direction of the flow of traffic. This would improve the traffic flow onto the property. Notes: 1. Deceleration lanes proposed adjacent to Joe battle and Zaragoza shall be coordinated and approved by TxDOT. 2. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

Land Development

Note to the Applicant: This subdivision "Montwood Heights Unit Eight" is not accepted by the City for maintenance.

Sun Metro

Sun Metro does not oppose this request. Sun Metro does recommend the construction of sidewalks to provide pedestrian accessibility.

El Paso Water Utilities

EPWU does not object to this request.

Water:

Within Montwood Heights Unit 8, along Laila H. Lane, Sarah H. Circle, and Nour H. Way there are existing eight (8) inch diameter water mains.

Along Nazha H. Way and Jamila H. Way there are existing six (6) inch diameter water mains.

North and parallel to Zaragoza Road, within Montwood Heights Unit 8, there is an existing twelve (12) inch diameter water main. This main is located inside an easement. No improvement, other than asphaltic paving (HMAC), shall be constructed on the described easement. EPWU-PSB requires access to this main 24 hours a day, seven (7) days a week.

Previous water pressure readings conducted on fire hydrant number 10068 located at the corner of

Leila H. Lane and Sarah H. Circle have yielded a static pressure of 54 pounds per square inch (psi), residual pressure of 46 psi, discharge of 750 gallons per minute (gpm).

Sanitary Sewer:

Within Montwood Heights Unit 8, along Laila H. Lane, Sarah H. Circle, and Nour H. Way, Nazha H. Way and Jamila H. Way there are existing eight (8) inch diameter sanitary sewer mains.

General:

As per EPWU-PSB records, Montwood Heights Unit 8 has seventy-six (76) three-quarter ($\frac{3}{4}$) inch diameter water services, and 76 sanitary sewer services of four (4) inch diameter each.

The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans pertaining to the proposed development for review and approval prior to any work to be performed within Montwood Heights Unit 8. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the described existing water and sanitary sewer mains. Based on the *Master Zoning Plan* (MZP) enclosed in Rezoning Case Number *PZRZ12 – 00005*, the EPWU-PSB concludes that the MZP will eliminate Nazah H. Way and Jamila H. Way. The existing water mains may have to be severed at the connection to the main at Sarah H. Circle and the existing sanitary sewer mains may have to be plugged. The required work shall be performed by EPW-PSB since the described mains are part of the public system. All costs associated with the cutting and plugging of the mains are the responsibility of the Developer.

If the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or on-site fire protection systems within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the described existing water mains, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.

EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

EPWU-PSB requests the Developer to refrain from constructing signs within the PSB easements.

All proposed buildings shall comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line.

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

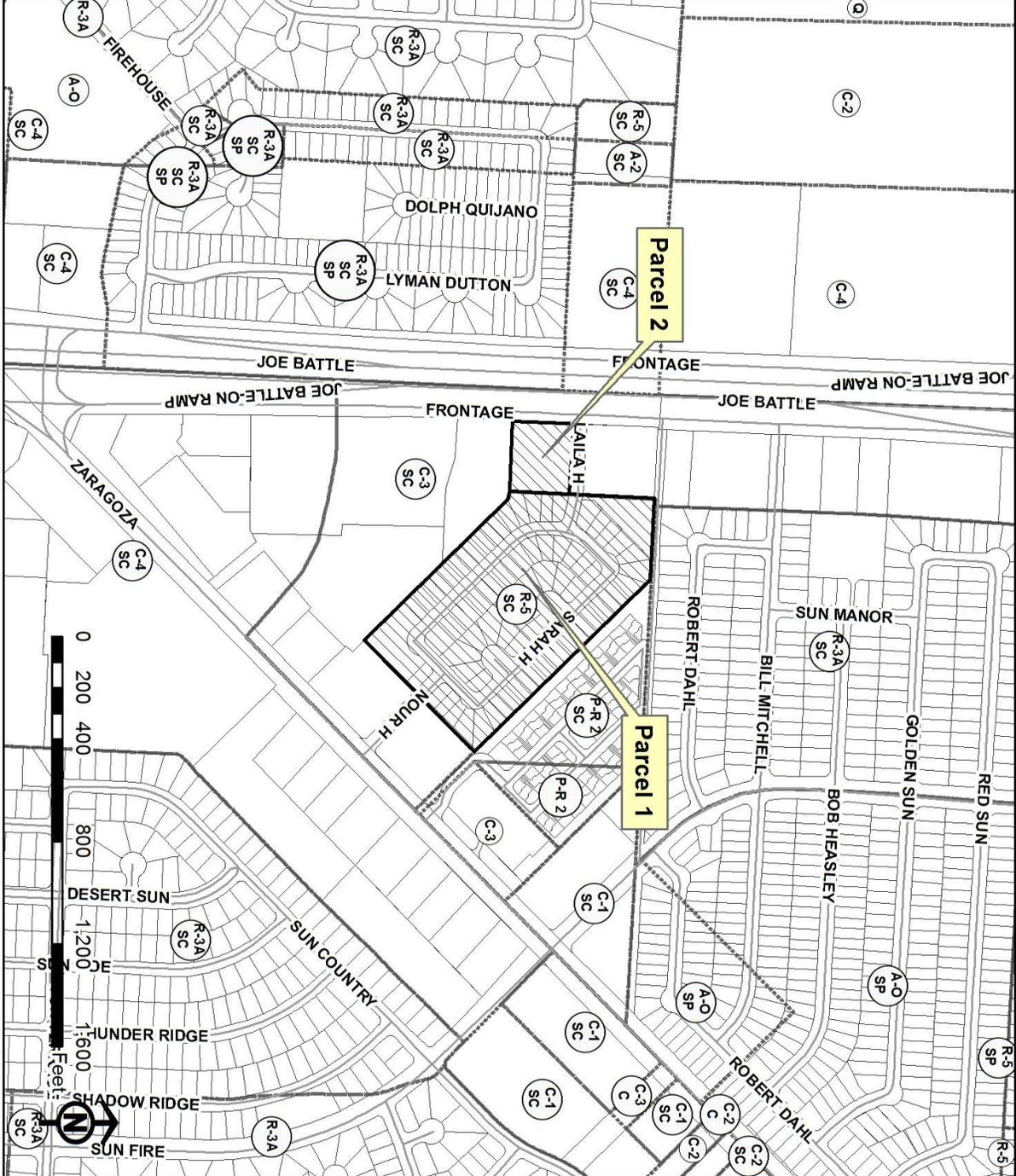
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Plan
4. Master Zoning Plan Summary

ATTACHMENT 1: ZONING MAP

PZRZ12-00005



ATTACHMENT 2: AERIAL MAP

PZRZ12-00005



EXECUTIVE SUMMARY

The proposed development will be in compliance with all the General Design Principals, General Design Elements, Architectural Objectives, Roadway Design, Parking, Setbacks and Landscaping principals and requirement listed under Chapter 20.10.360G Supplemental Use Regulations, residential Mixed Use Development.

Also the proposed development is in compliance with the Land Use and City Goals and Policies:

- ✦ **Land Use City Forms:** The proposed development consists of a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- ✦ **Residential :** This development will promote fair housing by providing affordable housing, and market rate housing in accordance with Federal, State and Local regulations. The wide range of proposed housings, single family dwellings, 1,2 and 3 bedroom apartments, will respond to the needs of all economic segments of the community. Also the proposed private amenities encourage the use of planned unit development
- ✦ **Office:** The community center is located along Joe battle to ensure their compatibility with the adjacent commercial uses. They are also located nearby the proposed Sun Metro bus stop and are connected with the residential with a walking and bike trail.
- ✦ **Neighborhoods:** The proposed development with the walking trails and the circular drives provides safe and efficient vehicular and pedestrian circulation systems. The community facilities are scattered throughout the development within walking distance from most dwellings. The neighborhood commercial services will be compatible with the neighborhood residential character.

ATTACHMENT 4: MASTER ZONING PLAN REPORT

SITE LOCATION

The proposed Sites consist of a parcel of land located in El Paso, El Paso County, Texas. The Site is located east and adjacent to FM 659 Road (Zaragoza Dr.) and Loop 375 North.

The parcel is shown on the following exhibit.

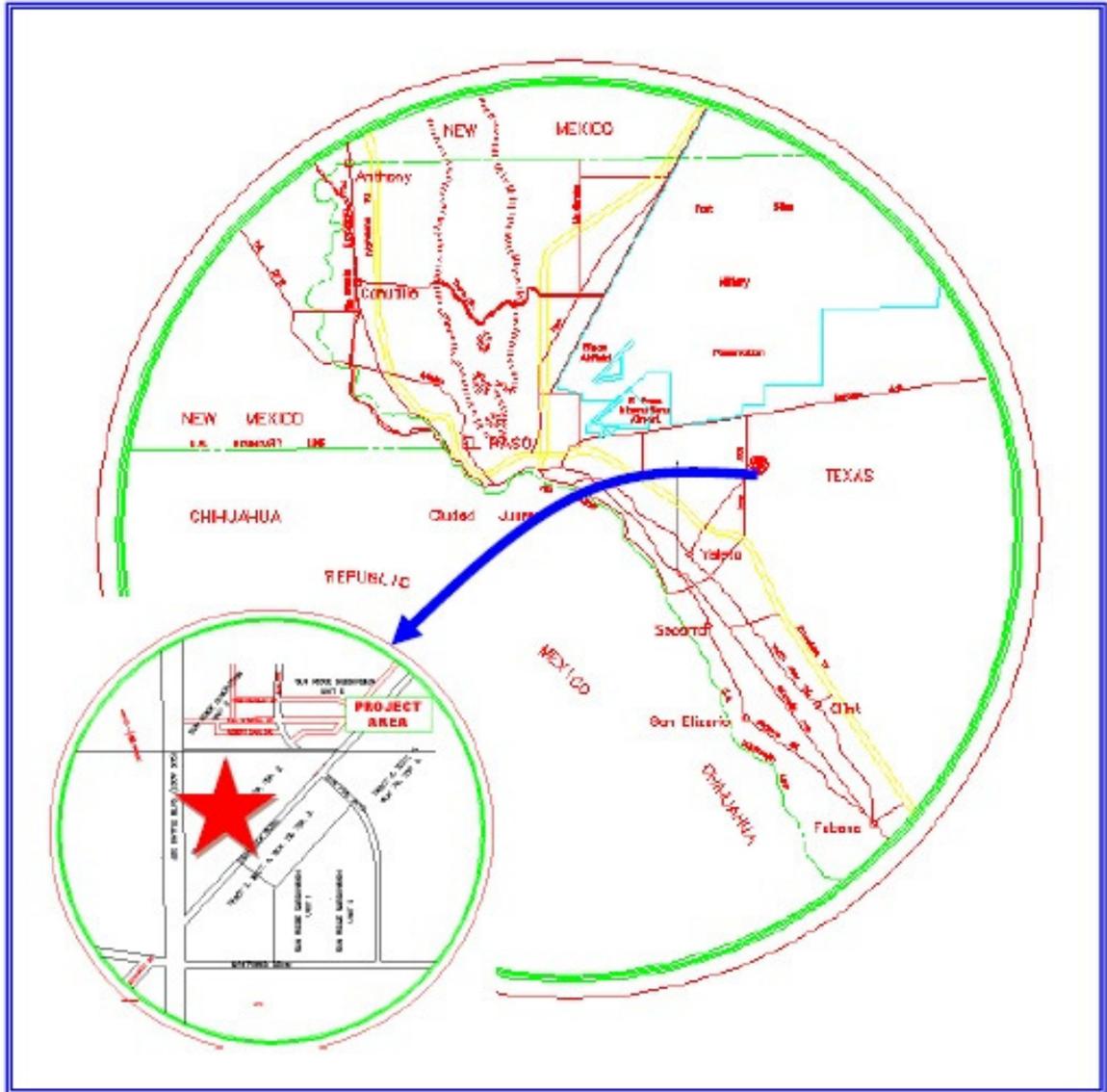


FIGURE 1: SITE LOCATION

ATTACHMENT 4: MASTER ZONING PLAN REPORT

The following is an aerial photo showing the location of the site shaded in red. The site has frontage on Zaragoza and on Loop 375 North. The site is bound by Zaragoza Road On the south, Residential subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.



FIGURE 2: AERIAL LOCATION MAP

ATTACHMENT 4: MASTER ZONING PLAN REPORT

SITE DESCRIPTION

PLATTING DETERMINATION & PHYSICAL BOUNDARY

The site was legally subdivided in 2008. It is described as : **Montwood heights Unit 8, El Paso, Texas.**

The subdivision plat was filed and recorded in the office of the County Clerk of El Paso

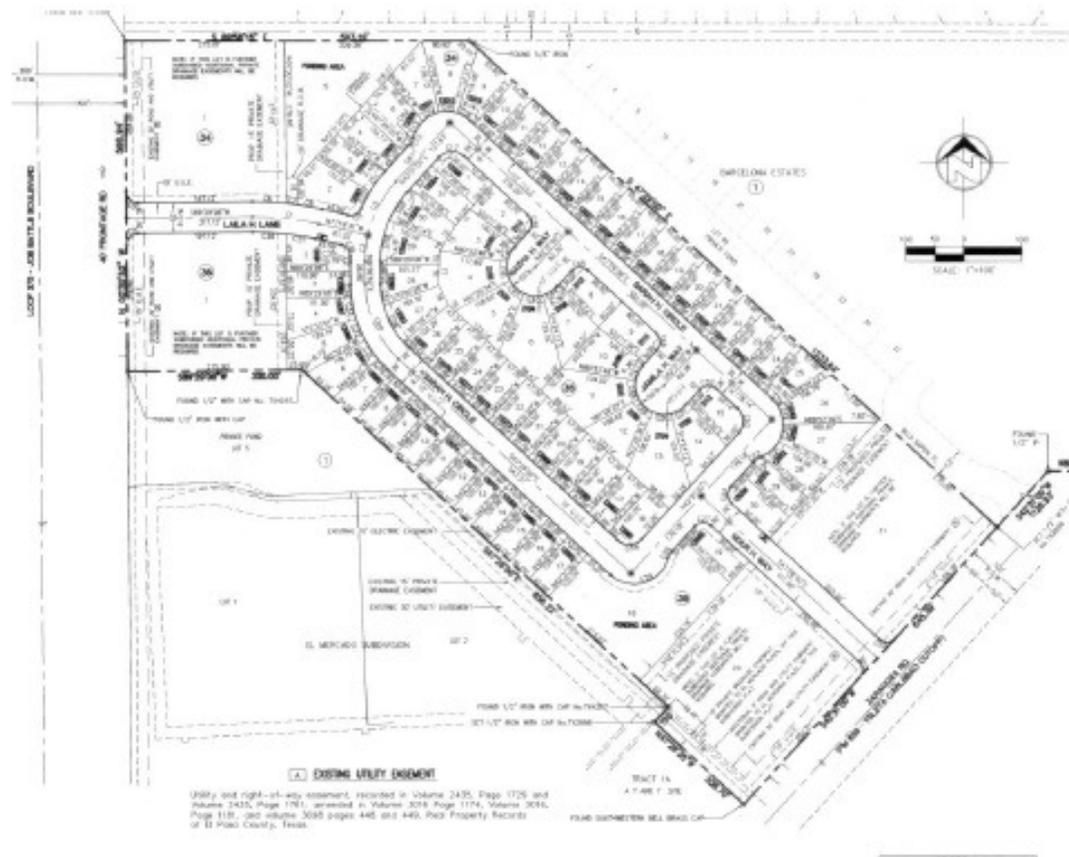


FIGURE 3: RECORDED SUBDIVISION PLAT

County, Texas on March 28, 2008 in Instrument No. 20080024326.

The site consists of 22.064 acres. It is subdivided into 76 residential lots, 4 commercial lots, and 1 retention pond. The site is bound by Zaragoza Road On the south, Residential

6

ATTACHMENT 4: MASTER ZONING PLAN REPORT

subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.

There are 10 existing houses within the limit of the site.

ZONING AND PROPOSED USES:

The site consists of 2 zoning designations:

- 1. R-5, Residential
- 2. C-4, Commercial District.

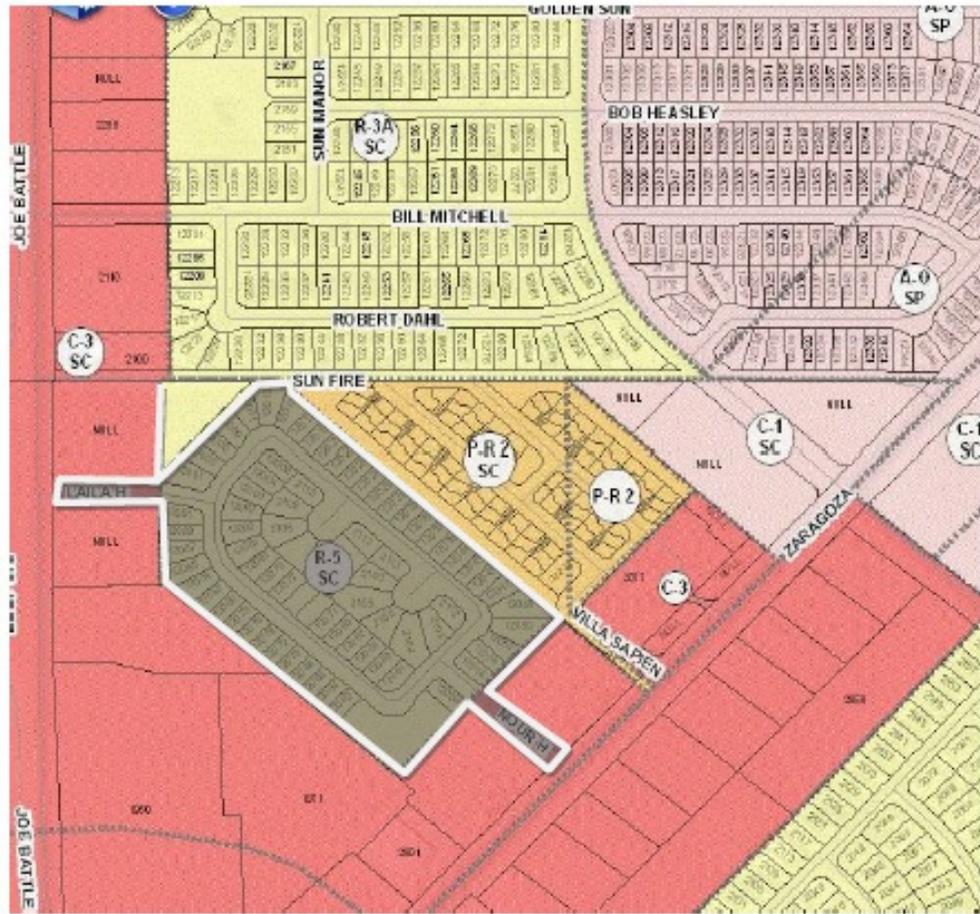


FIGURE 4: EXISTING ZONING, SOURCE: CITY OF EL PASO

The site will be zoned to RMU Residential Mixed Use.

Zoning Plan, RMU

ATTACHMENT 4: MASTER ZONING PLAN REPORT

The residential areas will occupy 11.414 acres of the site.

The ponding areas will occupy 1.53 acres

The commercial lots will occupy 5.17 acres

The streets will occupy 3.95 acres

The residential areas will be used to build 188 dwelling units and amenities.

There are 10 existing detached housing units. These units will not be included in the study since they exist and they contribute to the existing traffic count.

The land remaining for commercial development is approximately 225,000 square feet. The total possible square footage of dirt to be developed as leasable commercial space within this subdivision using the 7000 Square feet per acre is approximately 32,000 Square feet.

The following exhibit shows the number of proposed lots in the subdivision as well as the zoning master plan. Please note that the R-5 will be changed to RMU and the commercial lot located on the south west corner of Laila H. Drive and Loop 375 North will also be changed .

